

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF GEORGIA  
NEWNAN DIVISION

VIVIANNE JADE WASHINGTON,	)	
	)	CIVIL ACTION FILE
Plaintiff,	)	NO. 3:18-cv-00086-TCB
	)	
v.	)	
	)	
INVESTIGATOR JASON DURAND,	)	
in his individual capacity,	)	
INVESTIGATOR HUGH HOWARD,	)	
in his individual capacity,	)	
	)	
Defendants.	)	

**DEFENDANTS JASON DURAND AND LIEUTENANT HUGH HOWARD'S  
MOTION FOR SUMMARY JUDGMENT**

COME NOW Jason Durand and Lieutenant Hugh Howard (hereinafter "Defendants"), named defendants in the above-styled civil action, and, pursuant to Federal Rule of Civil Procedure 56 and Local Rule 56, respectfully move the Court for summary judgment. Defendants show that they are entitled to summary judgment as a matter of law as to Plaintiff's claims against them. This Motion for Summary Judgment is based on the following:

- A. Defendants' Brief in Support of their Motion for Summary Judgment and Exhibits thereto;

- B. Defendants' Statement of Material Facts as to Which There is No Genuine Issue;
- C. The original, sealed transcript of the deposition of Vivianne Washington, taken on April 2, 2019;
- D. The original, sealed transcript of the deposition of Lieutenant Hugh Howard, taken on May 21, 2019;
- E. The original, sealed transcript of the deposition of Jason Durand, taken on May 21, 2019;
- F. The original, sealed transcript of the deposition of Victor McPhie, taken June 27, 2019, and;
- G. All other pleadings, discovery, documents and evidentiary materials in the record of the case at the time the Court considers this Motion.

WHEREFORE, Defendants respectfully request that summary judgment be granted in their favor with regard to Plaintiff's claims against them and that the Court grant such other relief as it deems just and proper.

This 16th day of October, 2019.

{signature on following page}

Respectfully submitted,

**BUCKLEY CHRISTOPHER, P.C.**

/s/ Taylor W. Hensel

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**CERTIFICATE OF SERVICE**

I hereby certify that on October 16, 2019, I electronically filed DEFENDANTS JASON DURAND AND LIEUTENANT HUGH HOWARD'S MOTION FOR SUMMARY JUDGMENT upon all parties to this matter using the CM/ECF system which will automatically send email notification of such filing to the following attorneys of record:

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**BUCKLEY CHRISTOPHER, P.C.**

/s/ Taylor W. Hensel

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